

copies of the IDS filed November 2, 2005. Copies of the non-patent literature cited therein may be located in the Image File Wrapper.

THIRD REQUEST: An Information Disclosure Statement was filed on September 8, 2006 (received by OIPE September 11, 2006). The above-referenced Information Disclosure Statement appears in the Image File Wrapper, and consideration of this Information Disclosure Statement is respectfully requested. As a courtesy to the Examiner, the Applicant has attached copies of the IDS filed September 8, 2006. Copies of the foreign patent reference and non-patent literature cited therein may be located in the Image File Wrapper.

Claims 7, 8, 10-13 and 15-24 are pending in the present application, of which claims 7, 8, 12, 13, 18 and 19 are independent. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

The Official Action provisionally rejects claims 7, 8, 10-13 and 15-24 under the doctrine of obviousness-type double patenting over claims 1-25 of copending Application Serial No. 10/792,797. The Applicant respectfully traverses the obviousness-type double patenting rejection and favorable reconsideration is requested in view of the following.

With respect to the rejection, it is respectfully submitted that the double patenting rejection should be withdrawn and that the present application is in condition for allowance in view of MPEP § 804. Specifically, MPEP § 804, Part I.B.1 (Rev. 5, August 2006) states the following:

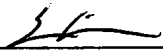
If a "provisional" nonstatutory obviousness-type double patenting (ODP) rejection is the only rejection remaining in the earlier filed of the two pending applications, while the later-filed application is rejectable on other grounds, the examiner should withdraw that rejection and permit the earlier-filed application to issue as a patent without a terminal disclaimer.

The effective filing date of the present application is February 27, 2004. The effective filing date of the '797 applicaiton, which forms the basis for the obviousness-

type double patenting rejection, is March 5, 2004. Therefore, since the subject application has an earlier filing date than the '797 application and since the double patenting rejection is the only remaining rejection in the present earlier filed application, it is respectfully submitted that the double patenting rejection should be withdrawn in the subject application. More specifically, since the double patenting rejection is the only remaining rejection in the present earlier filed application, MPEP § 804 provides that this rejection should be withdrawn and the subject application passed to allowance. Favorable reconsideration and withdrawal of the obviousness-type double patenting rejection is therefore requested.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



Eric J. Robinson
Reg. No. 38,285

Robinson Intellectual Property Law Office, P.C.
PMB 955
21010 Southbank Street
Potomac Falls, Virginia 20165
(571) 434-6789



Attorney Docket No. 0756-7259

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Koichiro TANAKA et al.

Serial No. 10/787,120

Filed: February 27, 2004

For: LASER IRRADIATION METHOD,
LASER IRRADIATION APPARATUS,
AND METHOD FOR
MANUFACTURING
SEMICONDUCTOR DEVICE

) Group Art Unit: 2814

) Examiner: T. Doan

CERTIFICATE OF MAILING

) I hereby certify that this correspondence is
) being deposited with the United States Postal
) Service with sufficient postage as First Class
) Mail in an envelope addressed to:
) Commissioner for Patents, P.O. Box 1450,
) Alexandria, VA 22313-1450, on
) 11-2-05

Adrian M. Stamps

INFORMATION DISCLOSURE STATEMENT

Honorable Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with the provisions of 37 C.F.R. 1.56 and 37 C.F.R. 1.97-1.99, Applicant submits herewith a Form PTO-1449 listing information known to Applicant and requests that this information be made of record in the above identified application. Copies are submitted herewith in accordance with 37 C.F.R. 1.98(a).

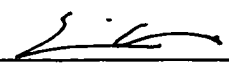
Copies of U.S. patents and U.S. publications are not enclosed in accordance with the Notice published in the Official Gazette on August 5, 2003 entitled *Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003*, which waives the requirement under 37 CFR 1.98(a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. publication.

This Information Disclosure Statement is being submitted before the issuance of a first Office Action on the merits, therefore, no fee is required.

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The Commissioner is hereby authorized to charge fees under 37 C.F.R. §§1.16, 1.17, 1.20(a), 1.20(b), 1.20(c), and 1.20(d) (except the Issue Fee) which may be required now or hereafter, or credit any overpayment to Deposit Account No. 50-2280. A duplicate copy of this sheet is attached.

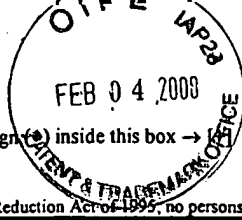
Respectfully submitted,



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COPY

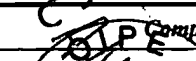


PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO				<div style="text-align: center;">  </div>	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/787,120
				Filing Date	February 27, 2004
				First Named Inventor	Koichiro TANAKA et al.
				Group Art Unit	2814
Examiner Name				T. Doan	
Attorney Docket Number				0756-7259	

U.S. PATENT DOCUMENTS						
Examiner Initials ¹	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
		5,304,357		Sato et al.	04/19/1994	
		6,423,585		Yamazaki et al.	07/23/2002	
		6,897,166		Sotani et al.	05/24/2005	
		2003/0136772		Yamazaki et al.	07/24/2003	
		2004/0040938		Yamazaki et al.	03/04/2004	
		2004/0171237		Tanaka et al.	09/02/2004	
		2004/0259387		Yamazaki et al.	12/23/2004	
		2005/0067384		Talwar et al.	03/31/2005	


[illegible]

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Official Action dated October 18, 2005 for Application Serial No. 10/678,083 filed October 6, 2003 to Yamazaki.	

Examiner Signature		Date Considered	
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***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Complete if Known

(use as many sheets as necessary)

Sheet	1	of	1
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Application Number	10/787,120
Filing Date	February 27, 2004
First Named Inventor	Koichiro TANAKA et al.
Group Art Unit	2818
Examiner Name	Chuong A. Luu
Attorney Docket Number	0756-7259

U.S. PATENT DOCUMENTS

Examiner Initials ¹	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
		6,528,397		Taketomi et al.	03/04/2003	
		6,700,096		Yamazaki et al.	03/02/2004	
		2002/0094008		Tanaka	07/18/2002	
		2004/0169023		Tanaka	09/02/2004	
		2004/0198028		Tanaka et al.	10/07/2004	
		2004/0253838		Yamazaki et al.	12/16/2004	
		2004/0266079		Shimomura et al.	12/30/2004	
		2006/0019474		Inui et al.	01/26/2006	

FOREIGN PATENT DOCUMENTS

[illegible]

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Official Action dated 03/13/2006 for Application No. 10/678,083.	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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